

## ORDINANCE NO. 4991

An Ordinance repealing McMinnville Municipal Code (MMC) Chapter 9.22 and Section 9.24.050 and declaring an emergency.

### RECITALS:

In November Of 2014, Oregon voters passed Ballot Measure 91. This measure legalizes possession of limited amounts of recreational marijuana for people twenty one and older.

Many aspects of Ballot Measure 91 are still being debated. What is not debatable is that, as of July 1, 2015, each household will be able to produce, make, process, keep, or store four marijuana plants, eight ounces of useable marijuana, sixteen ounces of solid marijuana products, and 72 ounces of liquid homemade marijuana products.

The City Code currently provides that a person commits the offense of possession of marijuana if that person knowingly possesses less than one ounce of marijuana (MMC 9.24.050). The Code further provides that it is an offense to possess, manufacture, deliver, or advertise drug paraphernalia (MMC Chapter 9.22).

After July 1, 2015, in Oregon (although marijuana will still be an illegal drug pursuant to the federal laws), it will no longer be illegal to possess limited amounts of marijuana, so the provisions of MMC 9.24.050 will no longer be applicable.

As the state legislature continues to grapple with Ballot Measure 91, state laws regarding drug paraphernalia may well change. As the state law now provides restrictions similar to those in the City Code, at this time it is in the City's best interests to repeal Chapter 9.22 and rely on state law in the future.

### NOW, THEREFORE, THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

1. The McMinnville City Council, by enactment of this Ordinance, repeals Chapter 9.22 and Section 9.24.050 from the McMinnville Municipal Code.
2. The McMinnville City Council hereby declares that an emergency exists. To ensure that the City remains in compliance with the state law, the provisions of this Ordinance should be in effect on July 1, 2015. For this reason, the City Council declares that this Ordinance shall be effective June 30, 2015.

Passed by the Council this 23rd day of June 2015 by the following votes:

Ayes: Drabkin, Hill, Jeffries, Menke, Ruden, Yoder

Nays: \_\_\_\_\_

Approved this 23rd day of June 2015.

  
COUNCIL PRESIDENT

Attest:

  
CITY RECORDER

Approved as to Form:

  
CITY ATTORNEY